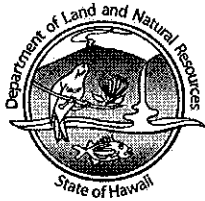


LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 23, 2008

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL V. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Chairperson and Members
Board of Land and Natural Resources
State of Hawai'i
Honolulu, HI 96813

Land Board Members:

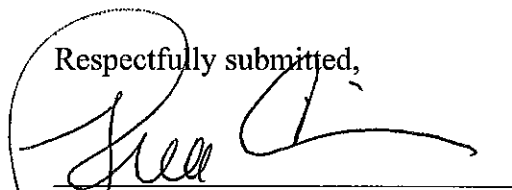
SUBJECT: REQUEST FOR REVIEW AND COMMENT ON THE HASEKO, INC.
QUARTERLY REPORT

State Historic Preservation Division has reviewed and accepted the attached report in compliance with the amended Condition No. 26 of the CDUP OA-2670 to directly consult with the State Historic Preservation Division on all matters relating to a Memorandum of Agreement (MOA) regarding the treatment of historic sites within the Ocean Pointe/Hoakalei development area.

RECOMMENDATION


That the Board accept the HASEKO quarterly report of May 22, 2008.

Respectfully submitted,



Pua Aiu, Ph.D.
Administrator

APPROVED FOR SUBMITTAL:



LAURA THIELEN, Chairperson
Board of Land and Natural Resources

ITEM I-1



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

June 12, 2008

Yvonne Izu
Moriwara, Lau & Fong, LLP
400 Davies Pacific Center
841 Bishop Street
Honolulu, Hawai'i 96813

LOG NO: 2008.1963
DOC NO: 0806ED14
Archaeology

Dear Ms. Izu:

**SUBJECT: HASEKO Quarterly Report on Activities Relating to and Progress in Implementing
Memorandum of Agreement
Honouliuli Ahupua'a, 'Ewa District, Island of O'ahu
TMK: (1) 9-1**

This letter acknowledges receipt of the quarterly report submitted to SHPD, which we received on May 23, 2008.

We believe that the report adequately provides a summary of past activities related to the Memorandum of Agreement regarding the treatment of historic sites within the Ocean Pointe/Hoakalei development area.

We look forward to receiving the next quarterly report.

Please contact Teresa Davan at (808) 692-8015 if you have any questions or concerns regarding this letter.

Aloha,

A handwritten signature in black ink, appearing to read "Nancy McMahon".

Nancy McMahon, Deputy SHPO/State Archaeologist and
Historic Preservation Manager
State Historic Preservation Division

ED

cc Land Board

2008.1963
Hp 9753

MORIHARA LAU & FONG LLP
A LIMITED LIABILITY LAW PARTNERSHIP

RECEIVED
HISTORIC PRES. DIV.
DEPT. OF LAND &
NATURAL RESOURCES

May 22, 2008

2008 MAY 23 A 10:33

Chairperson Haunani Apoliona
and Trustees of the Office of Hawaiian Affairs
711 Kapi'olani Blvd., Ste 500
Honolulu, HI 96813

Ms. Pua Aiu, Administrator
State Historic Preservation Division
601 Kamokila Blvd., #555
Kapolei, HI 96707

Dear Chairperson Apoliona, OHA Trustees, and Ms. Aiu:

HASEKO ('Ewa), Inc. (Haseko), the owner and developer of Ocean Pointe and Hoakalei in 'Ewa Beach, is the holder of Conservation District Use Permit (CDUP) OA-2670. The CDUP, which was issued on April 26, 2000, authorizes the dredging of an entrance channel to connect a man-made marina, excavated out of privately-owned fast lands, with the ocean.

On February 22, 2008, the Board of Land and Natural Resources (Board) amended Condition No. 26 of the CDUP by adding a requirement that Haseko directly consult with the State Historic Preservation Division (SHPD) and the Office of Hawaiian Affairs (OHA) on matters relating to a Memorandum of Agreement (MOA) regarding the treatment of historic sites within the Ocean Pointe/Hoakalei development area. The Board also required Haseko to submit quarterly reports to SHPD and OHA on activities relating to and progress in implementing the MOA.

Condition 26, as amended, now reads as follows:

The Applicant shall comply with the provisions contained in the Memorandum of Agreement (MOA) among the Applicant, the Hawaii State Historic Preservation Division, the U.S. Army Corps of Engineers, the Advisory Council on Historic Preservation and the Office of Hawaiian Affairs regarding the treatment of historic sites on the project site. Provisions of the MOA to the contrary notwithstanding, the Applicant shall also consult directly with the Hawaii State Historic Preservation Division (SHPD) and the Office of Hawaiian Affairs (OHA) on matters relating to the MOA. The applicant shall submit quarterly reports to SHPD and OHA on activities relating to and progress in implementing the MOA.

As this is the first quarterly report being submitted to SHPD and OHA pursuant to the amended Condition 26 of the CDUP, this report will recount the activities relating to the MOA starting from activities that led to the development and execution of the MOA up to the present. Future quarterly reports will focus on current activities and updated information.

I. Development of the MOA

Several reconnaissance level archaeological surveys of portions of the Ocean Pointe/Hoakalei project site were undertaken before Haseko acquired the project in 1988. After acquisition, Haseko commissioned Paul H. Rosendahl, Ph.D., Inc. (PHRI) to conduct a full (100%) archaeological inventory survey of the project site. That survey identified a total of 53 sites containing over 321 component features. Data obtained from the inventory-level archaeological survey included (a) information on site and feature types and distributions, (b) amount and types of surface artifactual and ecofactual materials, and (c) general environmental data.

Applying significance criteria and guidelines utilized by both federal and state historic preservation agencies, 47 of the 53 sites identified were assessed as significant solely for information content. It recommended that no further work be undertaken on 32 of the 47 sites.

With respect to the 21 sites for which additional work was recommended, in 1990 the U.S. Army Corps of Engineers (COE), in consultation with the SHPD, and in accordance with the provisions of the Advisory Council on Historic Preservation's regulations that implement Section 106 of the National Historic Preservation Act, determined that Haseko's proposed development may have an adverse effect on these archaeological sites. Subsequently, the Advisory Council on Historic Preservation (ACHP) worked with Haseko, COE, and SHPD in developing a memorandum of agreement that details what measures would be undertaken to mitigate for the loss of certain archaeological sites. The Memorandum of Agreement Among the U.S. Army Corps of Engineers, Honolulu District, the Hawai'i State Historic Preservation Officer and the Advisory Council on Historic Preservation Pertaining to Department of the Army (DA) Permit Application No. PODCO 2117 ("MOA") was executed by the parties in 1992. Haseko and OHA both participated in the consultation that resulted in the MOA, and both concurred in the MOA.

II. MOA Requirements

Under the terms of the MOA, the parties agreed to carry out certain measures. Each of the measures is recited below in *italics*, followed by a report on the extent to which each of the agreed-upon measures has been completed.

1. *In order to mitigate the adverse effects of the project on the 21 significant sites, the program outlined in the attached [not attached to this report] Archaeological Mitigation Plan, Ewa Marina Community Project – Phase I, Mitigation Plan for Data Recovery, Interim Site Preservation, and Monitoring, February 1991, shall be carried out.*

The Archaeological Mitigation Plan, Ewa Marina Community Project – Phase I, Mitigation Plan for Data Recovery, Interim Site Preservation, and Monitoring (PHRI, February 1991) (hereafter "Phase I Mitigation Plan") outlined a four-phased program:

Phase I – Preparation of a formal Archaeological Mitigation Plan, including relevant detail concerning (a) data recovery/collection, (b) interim site preservation, and (c) construction monitoring.

Phase II – Archaeological Data Recovery/Collection work, including mobilization, historical documentary research, field work, data analyses, and preparation of Interim and Final Reports. Interim site preservation work would also be conducted during Phase II. SHPD would verify successful completion of both the interim preservation work and the data collection work.

Phase III – Preparation of a detailed Site Preservation Plan upon completion of Phase II data collection work, to provide for interpretive development and long-term site preservation concerns. The Site Preservation Plan would be reviewed and approved by SHPD prior to final preservation plan implementation.

Phase IV – Archaeological Monitoring, as appropriate, of construction activities that might impact significant archaeological remains already identified, or which remain undetected within the project area.

Phase I – Archaeological Mitigation Plan

The Phase I Mitigation Plan called for additional data recovery work on 14 sites and six sites (3201, 3202, 3205, 3209, 4277, and 4278) to be preserved with interpretive development after further data collection. One site (4297) was recommended for further data collection and preservation was provisionally recommended if it contained human remains. As further data collection revealed no human remains, the preservation recommendation was withdrawn.

To ensure that additional data recovery work and/or site preservation would not be frustrated by construction grubbing and grading, an interim site preservation plan was recommended as part of the Phase I Mitigation Plan, which included, among other things, establishment of appropriate buffer zones and monitoring of construction activities. See discussion under 2.a., below.

Phase II – Data Recovery

PHRI conducted the Phase II archaeological data recovery field work between December 1993 and March 1994 in accordance with the methods and techniques described in the Phase I Mitigation Plan. Haseko submitted an interim report to SHPD following the end of field work. The report included preliminary information on the data recovery field work and the scope of work for the data analysis and final report. Data obtained from the field work was analyzed and Haseko submitted the final Phase II Data Recovery report to SHPD for review and approval. On January 27, 2007, SHPD sent a letter to the Corps of Engineers confirming that the report was satisfactory.

Data analysis involved laboratory analysis, including, among other things, inventorying and cataloging all artifacts, ecofacts, and samples recovered during data recovery work, radiocarbon dating of selected samples, and analyzing and interpreting the results. This phase of the work also included historical documentary research.

The data recovery project focused on two main research questions. The first research question involved testing of a model of native Hawaiian subsistence and settlement for the coastal `Ewa Plain. This model suggests that initial occupation of the region was mainly in the form of temporary camps, some of which, over time, acquired almost permanent status, with certain sites being consistently reoccupied for short periods. Eventually, the frequency or duration (or both) of occupation would have increased, with some sites in use year-round, but not necessarily by the same individuals. The data collected supports this model, with no evidence of permanency of habitation in the project area at any time.

The second research question tested the proposition that prehistoric change, as represented by the mass extinctions of bird species, was caused either directly or indirectly by the entrance of humans (i.e., the first Polynesian settlers) into the ecosystem. This question was addressed primarily through analysis of data from paleontological

excavations of sinkholes and through soil particle analysis of the excavated sediments. The findings did not support this thesis, but neither could the thesis be rejected on the basis of this study.

Phase III – Site Preservation Plan

See discussion following Paragraph 3, below.

Phase IV – Archaeological Monitoring

A written Monitoring Plan provides guidance for all monitoring work to help assure (a) interim site preservation in accordance with the Interim Preservation Plan element of Phase I Mitigation Plan, as well as (b) proper identification, evaluation, and treatment of any potentially significant cultural resources that might be discovered during construction. Haseko has prepared monitoring plans for earth-moving it has undertaken near known sites for which additional data collection or preservation has been recommended. It has shown preservation areas on all construction plans and has made contractor awareness a part of its regular presentations to contractors.

As a result of its diligence, in the more than 10 years of construction activity within the Project site, nearly all earth-moving construction work (which totals over two million cubic yards) has occurred without incident. Two incidents have occurred, however, in which contractors undertook construction activity without authorization from Haseko that resulted in disturbances of archaeological features.

The first occurred on January 20, 2006, when an excavator clearing land within the general vicinity of one of the archaeological preservation sites (Site 3205) damaged features along the western edge of the site. Prior to the day on which the incursion into the preservation area occurred, the nearest construction activity was more than 1,000 feet away and the contractor was under strict orders not to begin work until after the fencing had been installed. The construction worker who caused the damage ignored the warnings on the construction plans and the directions that Haseko presents to contractors in written educational materials and via periodic briefings. Haseko's independent site-monitoring discovered the incursion within two hours of its beginning and it immediately ordered the contractor to halt its activity. Haseko self-reported the incident to the COE and SHPD and had its archaeological consultant assess the situation within hours of the moment it became aware of the incident.

Site 3205 consists of 26 features: eleven platforms, six enclosures, four walls, two mounds, one terrace, one pavement, and one rubble concentration. Two features (Feature H1, a pavement, and Feature H2, a roughly piled mound) were destroyed by the unauthorized clearing activity. Neither of these features contained human remains.

Two additional features (Feature F1 and Feature G) were damaged. Feature F1 was an enclosure believed to have functioned as a temporary habitation, was damaged by tree trunks that fell onto it during the vegetation clearing. Feature G, an oval platform also believed to have served as a temporary habitation, was also damaged on its surface by falling tree trunks. Both of these features were excavated during inventory survey and data recovery; neither contained human burial remains.

The second incident occurred in March 2008, when another contractor who was drilling an anchialine shrimp monitoring hole on the western edge of the Project site inadvertently clipped the edge of an archaeological feature. This occurred when the contractor took mechanical equipment far past the limit that had been delineated for the creation of an anchialine pool. Haseko immediately called upon archaeologists to assess the damage. They identified the disturbed feature as a "bulldozer push pile" probably associated with World War II military activities. The archaeologists determined that the integrity of the feature was not affected by the incident and the push pile has been returned as nearly as is possible to its previous appearance.

Due to these two incidents, the Board, on October 26, 2007, found that Haseko had violated Conditions 10 and 26 of the CDUP and assessed fines and administrative costs against Haseko totaling \$4,500. (Haseko paid the full amount on November 16, 2007.)

2. *Prior to the issuance of the DA permit, the applicant shall:*
 - a. *Submit to the Corps a plan for the delineation of buffer zones around archaeological sites. The plan shall be in accordance with the Interim Preservation Plan section of the approved Archaeological Mitigation Plan and shall be approved before issuance of the DA permit. It shall be designed to protect all sites requiring (i) data recovery excavations and/or (ii) long-term preservation (protection or interpretive development). This plan shall be submitted and approved prior to commencement of any on-site construction for which Corps approval is*

required. The review and approval procedures shall be in accordance with Paragraph 2.c., below.

- c. *Within five (5) working days of receiving the submittals required by these conditions, the Corps shall forward copies to the SHPO and the Council. SHPO and the Council shall review the plans and provide their written comments to the Corps within thirty (30) calendar days. Within forty-five (45) calendar days of initial receipt of the above-referenced submittals, the Corps shall notify permittee of its approval or of any deficiencies and the measures needed to eliminate these. If any additional information is requested from the permittee, the Corps shall, in consultation with the agency making the request, determine the adequacy of any additional information that is provided within fifteen (15) calendar days of its receipt.*

In accordance with this requirement, Kepā Maly and PHRI prepared and submitted the 'Ewa Marina Community Project Memorandum of Agreement Items 2.a, b Compliance Plans, dated February 1993. The plan for buffer zones around the archaeological sites was accepted, with amendments proposed by SHPO, prior to issuance of the DA Permit in December 1993. The following buffer zones were established:

- The outer edge of the shoulder of the nearest planned roadway (adjacent to the marina) shall be a minimum of 100 feet from the nearest edge of Sites 3201, 3202 and 3205. Existing natural vegetation should be left in place or replaced with suitable native vegetation to screen the sites from the developed area.
- The area between Site 3209 and the edge of the marina waterway is to be preserved as an open space buffer, with no structures allowed at any time. Construction-related activity will be allowed in this area during construction of the marina, as long as it does not come closer than 50 feet to Features C, D, E, F, and G, or closer than 100 feet to Feature A, and as long as the area is restored to original/existing condition after construction.
- The area between Sites 4277 and 4278 and the edge of the marina waterways is to be preserved, with no structures allowed at any time. Construction-related activities will be allowed during construction of the marina, so long as it does not come closer than 50 feet to the sites. On sides other than those facing the marina, the open-space buffer is to extend 100 feet from the edge of the

site complex, with no development allowed within the buffer. Additionally, no land disturbance will occur between Sites 4277 and 4278.

In addition to the above, the *Phase III Site Preservation Plan* outlined preservation tasks for interim (short-term) protection buffers and long-term preservation buffers. Short term protection measures included the accurate plotting of preservation sites on grading plans prior to grading, fencing around the buffer zone perimeters prior to the start of earth-moving activities within 200 feet of the buffer zones, education of construction personnel, and on-site monitoring.

2. *Prior to the issuance of the DA permit, the applicant shall:*

b. *Submit to the Corps a plan for consulting with the State of Hawaii Office of Hawaiian Affairs concerning the interpretive language that would be used in any public education programs implemented in fulfillment of conditions of the DA permit. This plan shall be submitted and approved prior to issuance of the DA permit. The review and approval procedures shall be in accordance with Paragraph 2.c., below.*

c. *Within five (5) working days of receiving the submittals required by these conditions, the Corps shall forward copies to the SHPO and the Council. SHPO and the Council shall review the plans and provide their written comments to the Corps within thirty (30) calendar days. Within forty-five (45) calendar days of initial receipt of the above-referenced submittals, the Corps shall notify permittee of its approval or of any deficiencies and the measures needed to eliminate these. If any additional information is requested from the permittee, the Corps shall, in consultation with the agency making the request, determine the adequacy of any additional information that is provided within fifteen (15) calendar days of its receipt.*

The 'Ewa Marina Community Project Memorandum of Agreement Items 2.a,b Compliance Plans, dated February 1993, prepared by Kepā Maly and PHRI also addressed this requirement. As approved by the COE, the Plan for Consultation on Interpretive Language with The Office of Hawaiian Affairs (Stipulation 2.b) provides the following:

1. After completion of all data recovery field work, data analysis, and report preparation a copy of the final report will be submitted to the Office of Hawaiian Affairs for review and comment.

2. Following the OHA review, as a basis for preparation of interpretive materials, the permittee will organize a meeting to present its preferred guidelines, information content and methods of interpretation for development.
3. Agreed upon interpretive language will be finalized for use in implementing interpretive development.

3. *The permittee shall submit a Detailed Site Preservation Plan to the Corps which shall be in accordance with the four-phased mitigation program outlined in the approved Archaeological Mitigation Plan. The detailed Site Preservation Plan shall be prepared upon completion of mitigation (data recovery) excavations and shall provide detailed descriptions of the measures relating to preservation and interpretive development (including signage, landscaping, maintenance, and protection from vandalism). The permittee shall submit this plan within three (3) months of completion of data recover. The review and approval procedures shall be in accordance with Paragraph 2.c., above.*

Six sites had been recommended for preservation with interpretive development. Five of the six sites (3201, 3202, 3205, 4277, and 4278) are long-term temporary habitation complexes containing a wide variety of feature types, surface and subsurface artifacts, and midden. Based on the level of workmanship and size, the sixth site (Site 3209) may have served a ceremonial function, perhaps associated with agriculture or fishing.

Kepā Maly, in association with PHRI, prepared the *Phase III Archaeological Site Preservation Plan*, which was accepted in March 1999. This detailed plan included all of the site specific preservation details, e.g., stabilizing rock work, removing vegetation, interpretive signs, and monitoring and maintenance protocol called for in the condition. Typical for its time, the *Phase III Archaeological Site Preservation Plan* proposed that interpretation of the six historic properties be relatively passive. The plan envisioned trails through the sites with informational signs at appropriate points. Visitors could walk the trails, view the surface architectural features preserved as ruins, and read a bit about them.

Since 1999, however, as Haseko continued to work with the community to ensure that development plans were consistent with preservation commitments, community views of the preservation sites changed with a growing awareness of the range of preservation possibilities. More recently, historic preservation specialists and Hawaiian

community members have come to value more active forms of preservation that attempt to integrate preserved historic properties more fully into the lives of nearby communities. A central focus of this approach is the use of historic properties for educational purposes.

Establishment of the Hoakalei Cultural Foundation (Foundation) in 2006 provided the impetus to revise the portions of the *Phase III Archaeological Site Preservation Plan* addressing Sites 3201, 3202, and 3205. The updated plan for these sites groups them together as the "Kauhale Preserve". The Foundation is planning to develop place-based educational programs for the area's sites that are suitable for use in Department of Education schools, as well as sponsored educational workshops for the community at large. These programs promote the Foundation's vision that future generations will understand, value and respect the spirit, natural resources and heritage of the 'Ewa Plain and use it to guide their lives.

The Revised Archaeological Site Preservation Plan for Sites 50-80-14-3201, -3202, and -3205 in the Kauhale Preserve at Hoakalei, Honouliuli, 'Ewa, O'ahu, (Kauhale Preserve Revised Site Preservation Plan) was prepared by T.S. Dye & Colleagues, Archaeologists, Inc. and submitted for agency approval in late 2007. The Kauhale Preserve Revised Site Preservation Plan describes the Hoakalei Cultural Foundation and its role in assisting in the implementation and oversight of the preservation plan for archaeological sites within the Ocean Pointe/Hoakalei developments, the school programs the Foundation intends to develop and implement at the Kauhale Preserve, and the infrastructure needed to support the Foundation and its programs.

By way of a letter dated January 31, 2008, the State Historic Preservation Division approved the requested revisions to the *Phase III Archaeological Site Preservation Plan*. On February 19, 2008, the U.S. Army Corps of Engineers approved the requested amendment to the plan as well. Finally, by way of letter dated March 14, 2008, OHA expressed general support for the Kauhale Preserve Revised Site Preservation Plan, while offering a number of suggestions for implementation.

III. Supplemental Archaeological Survey

In early 2004, PHRI conducted a supplemental archaeological survey outside the scope of the MOA. The supplemental survey was conducted at the request of SHPD in response to the discovery of human remains found on State land in 2001 within the

proposed marina channel opening at the shoreline (State Site 0-80-12-5879). Over the course of its work, PHRI placed twenty-seven backhoe trenches within the shoreline sand deposits at the proposed Kalo'i drainage channel at One'ula Beach Park; it excavated an additional 26 trenches within the proposed marina channel area. In addition, three hand excavated units were placed within a meter of the location of the inadvertent burial recovered in 2001. Subsurface testing of shoreline sand deposits yielded primarily recent historic trash including fragments of plastic, glass, paper, metal and ceramics. No human skeletal remains or prehistoric cultural materials of any kind were identified during the trenching and excavations. The SHPD approved the survey report on December-10, 2004. In accordance with that approval, Haseko will prepare and obtain approval of Archaeological Monitoring Plans for the two shoreline areas covered by the 2004 PHRI study before undertaking work in those areas.

IV. Hoakalei Cultural Foundation

From the time that Haseko acquired the Project, key members of the native Hawaiian community in 'Ewa actively participated in ensuring that Haseko's development plans were sensitive to native Hawaiian interests and consistent with Haseko's preservation commitments. This led to the establishment in 2006 of the non-profit Hoakalei Cultural Foundation. As expressed in the Foundation's Articles of Incorporation, the purposes of the Foundation are:

- a) i) To assist in the implementation and oversight of an approved Archaeological Site Preservation Plan for the archaeological preservation areas within the Ocean Pointe master-planned community and Hoakalei Resort located in 'Ewa Beach, Hawai'i. The Foundation will also help to educate the community about traditional and cultural practices related to the archaeological sites in the preservation area by sharing Native Hawaiian cultural and historical knowledge; and ii) to develop, implement and manage educational programs to raise community awareness and understanding of the archaeological sites within Ocean Pointe and Hoakalei.
- b) The Foundation will conduct educational and informational activities for the community about Native Hawaiian traditional and customary practices, culture, lore, history, Hawaiian language, and Hawaiian land and ocean environments as it relates to the preservation areas and the 'Ewa Plain,
- c) The Foundation will work to perpetuate knowledge about the *wahi pana* in the Ocean Pointe and Hoakalei preservation areas and provide advice concerning the maintenance of the Hawaiian cultural attachments associated with such resources, be they sites of pre-historic or historic construction or natural features representing the embodiments

of the myriad creative forces of nature that make up Hawaiian spiritual and cultural beliefs.

- d) The Foundation will work to preserve traditional and customary rights, traditions, environment and culture of Hawaiians by providing educational and informational programs to the community. These programs may include historical lectures and seminars; public discussion groups and presentations; forums, panels, and workshops; demonstrations, cultural events, and activities; and other related on-going programs.
- e) The Foundation may partner with other organizations or persons to facilitate the foregoing purposes.

The Foundation's vision is that future generations will understand, value, and respect the spirit, natural resources and heritage of the 'Ewa Plain and use it to guide their lives. It is the Foundation's mission to ensure good stewardship of the land and heritage of the 'Ewa Plain.

As noted above, the Foundation was instrumental in developing the Revised Site Preservation Plan for the Kauhale Preserve, which focuses on educational programs and more actively involving the community in preservation efforts.

Since its inception, the Foundation has conducted a number of activities to educate its members and the community about native plants. Board members and volunteers visited Lana'i to learn about the ongoing stewardship efforts at the Kanepu'u Preserve. Participants shared stories of old and knowledge about the native dryland forest, and also had the opportunity to see plant species found nowhere else on earth today, including trees and shrubs that historically were also found on the 'Ewa Plain. In 2007, the Foundation gave out 'a'ali'i and alahe'a trees to community residents to encourage the use of native plants in 'Ewa. And earlier this year, the Foundation held a landscaping workshop in which a certified arborist and landscape architect showed participants how to incorporate Native Hawaiian endemic and indigenous plants, shrubs and trees, such as the *Na'u* (Hawaiian gardenia), *Kupukupu* (sword fern) and *Loulu* (palm tree), into their backyard plantings, as well as proper planting techniques. The workshop also provided information about each plant and its traditional uses.

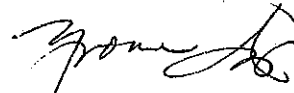
On April 9, 2008, the Foundation extended an invitation to the Trustees and staff of the Office of Hawaiian Affairs to a site visit and talk-story session on Friday, May 30, 2008, for the purpose of acquainting OHA with the Foundation. During the site visit, OHA Trustees and staff will be able to witness first hand some of the preservation sites and ongoing preservation efforts associated with implementation of the MOA.

Chairperson Haunani Apoliona,
Trustees of the Office of Hawaiian Affairs, and
Ms. Pua Aiu
May 22, 2008
Page 13

V. Conclusion

We hope that this first quarterly report is useful in providing background information regarding the MOA and in apprising you of efforts that have been made from the early 1990s to the present in implementing the MOA's preservation objectives. As indicated at the outset of this letter, subsequent reports will focus only on current activities, but we thought it important to provide this background in our first report to you. Please do not hesitate to contact the undersigned if you have any questions or comments.

Very truly yours,



Yvonne Izu
Attorney for HASEKO (Ewa), Inc.

Cc: Ms. Laura Thielen, Chairperson, DLNR
OCCL
HASEKO (Ewa), Inc.